

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

Brent Allen Heath,

Petitioner,

v.

Jeffrey A. Uttecht,

Respondent.

No. 3:20-cv-06223-MJP-DWC

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's federal habeas Petition is dismissed with prejudice and the pending Motion to Exhaust State Remedies (Dkt. 5) is denied as moot.
- (3) A certificate of appealability is denied in this case.
- (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. David W. Christel.

**DATED** this 26th day of April, 2021.



Marsha J. Pechman  
United States Senior District Judge